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THOMAS GEORGE PRATT





Thos G Pratt

Governor of Maryland, 1845-1848. United States Senator, 1850-1857.
From an oil painting in the State House, Annapolis, Maryland.

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Governor of Maryland, 1845-1848

United States Senator, 1850-1857

BY

CALEB CLARKE MAGRUDER

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THOMAS GEORGE PRATT

BY CALEB CLARKE MAGRUDER

THOMAS GEORGE PRATT was born in Georgetown, District of Columbia, of Maryland parentage, February 18, 1804.

Some authorities state that he was educated at Georgetown College and at Princeton. That he was liberally educated is proved by his writings and speeches, in which he evidences familiarity with literature, history and the classics.

Having read law with Richard S. Coxe of the Washington bar, he moved to Prince George's County, Maryland, in 1823, and entered upon the practice of his profession at Upper Marlboro', on October 26, 1824.

He was elected a member of the House of Delegates as a Whig candidate from his adopted county, and began his public career in 1832; being annually reelected to serve until the end of the session of 1835.

According to the Maryland Constitution of 1776, the counties elected delegates to be electors of the senate, by whom the senators were chosen, who, with the members of the lower house of the assembly, elected a governor. In like manner, the two houses elected "five of the most sensible, discreet and experienced men" to compose the governor's council.

This latter provision was engrafted on the constitution as a relic of pre-Revolutionary days, when the form of government consisted of a house of burgesses, a governor's council and a proprietary governor, or royal governor as Maryland had for nearly twenty-five years following the Revolution of 1689.

During the years immediately preceding 1836, political conditions had changed in Maryland from those following the Revolution and the War of 1812. The Federalists and Republicans had given way to Whigs and Democrats. The former were yet in the ascendancy; but the Democrats were sufficiently numerous to prove formidable, and to command respect. While firmly entrenched in power, the Whigs had so formulated legislation as to give them control of affairs through a majority of senatorial electors, although they represented a minority of the population of the state.

In 1836 the senatorial college consisted of twenty-one Whigs and nineteen Democrats, representing a constituency of 85,179 and 205,922 respectively. The Frederick County electors chosen that year were instructed to insist upon the election of eight out of the fifteen senators who were in favor of a reformed constitution. While the Whigs were in the majority (21 to 19), they were not in control; twenty-four being required to constitute a quorum in the electoral college. Because the Whigs refused to yield, the Democrats withdrew, thinking to prevent the organization of the upper house of the assembly and bring on a crisis which would in some fashion lead to the overthrow of Whig domination.

Thomas Ward Veazey, then governor, and himself a Whig, promptly crushed

the scheme by declaring that the members of the former senate constituted that body until their successors were elected. and summoned them to assemble at Annapolis to engage in their duties. Defeated in their efforts, the Democrats were forced to an election; and further chagrined by the election of an even larger Whig representation than before prevailed. Their efforts, however, were not without results; for Governor Veazey advocated a reform in the constitution, and though a partisan Whig, smoothed the way for a representative form of government which Enoch Louis Lowe was so largely instrumental in obtaining for the people in 1851.

This protest on the part of the Democratic electors in 1836 is known in Maryland history as "The Revolt of the Glorious Nineteen." Pratt was a Whig elector; and as a reward for his prominence in the struggle, he was elected president of the governor's council. As a presidential elector, he cast his vote for Martin Van Buren in 1837. His term as president of the governor's council having expired (the council having been abolished by an amendment to the constitution to take effect in 1838), he was elected the same year to the state senate, where he served until 1843.

In both branches of the legislature he was on its most important committees; and while a member of the house of delegates in 1833, introduced the bill which gave the Baltimore and Ohio Railroad Company the right to construct a railroad from Baltimore to Washington City. In the same year he secured the passage of a bill re-chartering the "Planters' Bank of Prince George's County." This corporation occupied quarters no longer existing, which at that time formed the street entrance to the present Marlboro' House, which was Pratt's home during his residence in Upper Marlboro'.

Maryland had now reached a transition period. The Revolutionary War resulted in thirteen independent states in America. Geographically and because of their desire to maintain their sovereign integrity, union was inevitable. This was the theory and the hope of the federal constitution; but its life was dependent upon the surrender of many rights of the individual states which their union sought to insure.

While these states were recognized as independent, such recognition was with no great measure of respect or acknowledgment of their power to perpetuate themselves. Before the century closed, we were nearly involved in war with our old friend and ally France, and the greatest optimist could not persuade himself that the Treaty of Paris was considered final by Great Britain. The provoked war in 1812 is proof to the contrary.

The states were bound together by ropes of sand; for solely because of constructions read into the Constitution has it become the guide for our national conduct. A Marshall of Virginia and a Taney of Maryland were required to interpret it aright.

The second war with Great Britain taught us the lesson which has made our national life. Our absolute interdependence in event of attack by a foreign foe, and the necessity for our united strength to repel him, were the primal causes which welded us together and exemplified the strength and beauty of union.

After this war, the states experienced a larger respect from the powers; but of greater moment was the thought of their own security. Out of this grew confidence in the future, and with it giant efforts were put forth by each state looking

toward internal improvements. These meant larger business facilities, attractive of increasing population, which would prove productive of material wealth in the state and power in the nation.

Such efforts in Maryland took the form of state aid to private enterprises; notably in the construction of the Chesapeake and Ohio Canal, the Baltimore and Ohio Railroad, and the Susquehanna Railroad, now a part of the Northern Central system. Not content with \$3,000,000 during the administration of Governor James Thomas, these systems were clamoring for a larger bonus during that of his successor, Governor Veazey.

At an extraordinary session of the legislature in 1836, a bill was passed appropriating \$8,000,000 of the people's money to these and kindred enterprises. It was at first a most popular piece of legislation, and there were lively expressions of joy in the commonwealth. Enthusiasm was short-lived; and with the induction of William Grason as governor lamentations of regret were abroad in the land. From a light taxation the people were weighed down by the burdern of this extravagant appropriation.

With reckless indifference the state ceased to pay the interest on its bonds, and repudiation was in the air. A crisis had been reached by 1838, at which time Pratt was a member of the state senate. Never wavering, his voice was ever raised against the shame which would envelop his state should she repudiate her obligations; and through all the gloom of her financial depression, his courage in combating it was magnificent.

This stand forced him to the front, and made him the Whig candidate for governor. His platform was that the state should liquidate her debts; a simple one, but only a man of courage would have dared to stand upon it at such a time. Named against him was James Carroll. Pratt was elected by a majority of 546 votes. He took the oath as governor January 6, 1845, and retired January 3, 1848.

Immediately upon his inauguration, he prepared and submitted to the legislature a system of taxation for raising necessary revenue for the payment of the state's debts. It was adopted. Credit and confidence in the honor and integrity of the state were at once restored. The accrued interest was paid; promises were made for the punctual payment of maturing debts; and at the end of his administration the state's bonds were nearly at par.

Governor Pratt did not find all Maryland agreeable to his sledge-hammer methods for liquidating these debts; but when it was accomplished, and his good offices understood and appreciated, he became the most beloved among the state's executives.

During his administration the Mexican war was fought. At the call for volunteers he wrote: "The sons of Maryland have always obeyed the call of patriotism and duty, and will now sustain the honor of the state." Among those who responded was Oden Bowie of Prince George's county, promoted from private to lieutenant for bravery at Monterey, subsequently commissioned captain, and the thirty-seventh governor of the state in 1869.

Events were how hastening to the dark days of internal strife. Already ill feeling existed between Pennsylvania and Maryland on account of fugitive slaves. A requisition signed by Governor Pratt upon the governor of Pennsylvania for the

return of such a slave was not only dishonored by the governor of Pennsylvania, but accompanied by an opinion from the attorney general of that state to the effect that the fugitive slave law of Maryland was considered unconstitutional in Pennsylvania.

In June, 1849, James Kennedy of Hagerstown, Maryland, went to Carlisle, Pennsylvania, to recover runaway slaves, in accordance with provisions of an act of Congress. The slaves were arrested and remanded to their owner by an order of court; whereupon a riot ensued, and although the judge attempted to defend him by beating off his assailants, Kennedy was mortally wounded.

In justice to the citizens of Carlisle, I will add that this infraction of the peace was due almost solely to its negro population, thirteen of whom were convicted for rioting; and that at a public meeting of its law-abiding citizens, the action of the mob was denounced as disgraceful, and resolutions passed extolling the character and good citizenship of Kennedy.

Again, on September 11, 1851, Edward Gorsuch, of Baltimore County, while in Christiana, Pennsylvania, attempting to reclaim escaped slaves, was set upon by a mob and murdered. Sixty years to the day, September 11 last (1911), a shaft was erected on the spot where Gorsuch fell; an evidence of restored good feeling between the sections, now that men's passions have cooled, a cause for national thanksgiving.

Born of slave-holding parents, with like environment, Governor Pratt's political allegiance was severely tried; and doubtless these occurrences were the basis of a new political alignment in later years.

By an amendment to the constitution of 1776, passed in 1837, the gubernatorial term was fixed for three years, with its incumbent ineligible to succeed himself. Upon leaving the executive mansion, Governor Pratt purchased the colonial home of former Governor Benjamin Ogle in Annapolis, and resumed the practice of the law.

His retirement from public life was of short duration. Early in 1849, Reverdy Johnson, a former fellow-townsmen of Pratt, was confirmed by the federal senate as attorney-general of the United States in the cabinet of President Taylor. His resignation left a vacancy in the Federal Senate from Maryland, which was temporarily filled by the executive appointment of David Stewart of Baltimore City, but the legislature elected Governor Pratt to fill out Johnson's unexpired term of one year, and as his own successor for a term of six years. Governor Pratt took his seat in the senate January 4, 1850, and served until the expiration of his term, March 3, 1857.

As a senator, he was a member of the committees on foreign relations, military affairs, District of Columbia, public printing, public buildings, claims, roads and canals, public lands, and chairman of a select committee on improvements of Patapsco river and Chesapeake bay. Among his colleagues were Daniel Webster, Henry Clay, John C. Calhoun, Jefferson Davis, Lewis Cass, Thomas H. Benton, Stephen A. Douglass, Sam Houston, Robert Toombs, Judah P. Benjamin, John C. Fremont, Benjamin F. Wade, Hannibal Hamlin, Salmon P. Chase, and Stephen R. Mallory.

Senator Pratt entered actively into all the debates on the leading questions of his time, and displayed no mean ability in his forensic contests with the greatest giants of intellect and oratory which this country has produced. He favored the

establishment of agricultural colleges throughout the states; advocated the building of a trans-continental railroad; the induction of water into the District of Columbia from the Potomac river; the exploitation of Central Africa with a view of transporting the slaves; the establishment of a telegraph line and mail route to the Pacific; and, as a matter of present and local interest, I will mention that he asked for consideration by the Senate, April 27, 1854, of his bill "to incorporate the National Hotel Company of Washington City," the hotel in which we are now assembled, which he spoke of as an extensive operation worthy of the metropolis of the nation.

He thought the handing of passports to Mr. Crampton, the British minister, because of his offensive interpretation of privileges permitted by the Clayton-Bulwer treaty unnecessarily severe, and so expressed himself in unequivocal language.

Probably his most forceful debates were on slavery subjects and questions growing out of free-soil contentions for old territories seeking admission into the Union, and those carved out of lands acquired by the conflict with Mexico.

He was unalterably opposed to the provisions of the Wilmot Proviso in its application to the states thus forming, and argued the right of California and Kansas to decide by a vote of their citizenry whether slavery should be prohibited within their borders. This was the doctrine of John C. Calhoun thus expressed:

"The territories of the United States belong to the several states composing the Union; and are held by them as their joint and common property; that Congress as the joint agent and representative of the states of the Union, has no right to make any law or do any act whatever that shall, directly or by its effects, make any discrimination between the states of this Union by which any of them shall be deprived of its full and equal right in any territory of the United States acquired or to be acquired."

This same doctrine was declared the law of the land in 1857 by Chief Justice Roger Brooke Taney in his decision in the Dred Scott case.

Responding to a letter addressed to him by many Whigs, requesting to know his attitude toward the presidential candidates of 1856, Senator Pratt replied: "The life of the nation is in danger. It must be saved; then, and not till then, will it be permissible for us to discuss our differences of opinion upon minor subjects."

He acknowledged eminent qualifications as belonging to Fillmore (once a Whig); but would not support him because he deserted his party and accused it of corruption. Also he opposed him because of his sympathy with Know-nothingism. He opposed Fremont on the ground that the Republican party was a purely sectional one, which had avowed its purpose of disunion and chosen as its party banner a flag of sixteen stars representing the non-slave-holding states, and obliterating the fifteen stars which represented the slave-holding states.

The Whig and Democratic platforms on the slavery question were identical in 1852, he said; and since there was no Whig nominee, he would support Buchanan. Further, he declared that as patriots, it was the duty of every Whig to support him, because, to his mind, the election of either of the opposition candidates "would be the death-knell of the Union," whose perpetuation he most sincerely hoped for and strongly advocated.

Senator Pratt believed in domestic servitude, and the guarantees of the constitution and the Supreme Court decisions regarding it. When the storm broke

he openly advocated secession; for which he was arrested and confined in Fort Monroe for a few weeks in 1861.

At the expiration of his senatorial term, Pratt returned to Annapolis, and there remained until 1864, when he moved to Baltimore. He was a delegate to the Chicago National Democratic Convention in 1864; and a delegate to the Union Convention in Philadelphia in 1866. He announced his candidacy for the United States senate in 1867; but was not successful.

Pratt was so long in political life that his professional standing is eclipsed by his public services; and yet his professional stature is no mere pigmy. During the period of his legal activity, scarcely a case of importance was tried at the bar of Prince George's County, or on appeal from that jurisdiction, in which Pratt did not appear. Probably the most important early case in which he figured was Boteler and Belt vs. State, Use of Creditors of Chew and Company, decided by the Maryland Court of Appeals in 1835. With him was Roger B. Taney. The opposing counsel were John Johnson and Alexander Contee Magruder.

Another, decided in 1842 by the Court of Appeals, after nine years' litigation, was Darnall vs. Hill. His associate in this case was Caleb Clarke Magruder, my father. Still another was Hall and Hall, Executors, vs. Edward W. Belt, in which Pratt appeared for appellants and Alexander Contee Magruder and Caleb Clarke Magruder for appellees.

The most important case in which he ever appeared was Craufurd vs. Blackburn. He was one of the original counsel for Craufurd. My father was one of the original counsel for Dr. Blackburn. Before its final adjudication, the array of opposing counsel had become almost state-wide. Many of the attorneys in the original proceedings were dead; and some who had just been admitted to practice when the litigation began were seasoned practitioners at its end.

This legal controversy arose in the Orphans' Court of Prince George's County. The Circuit Court of that County sent it to Charles County for trial. On appeal, it went to the state Court of Appeals, which confirmed the decision in the lower court. New questions having arisen, it was tried in the Circuit Court for Prince George's county, and an appeal taken. Again decided by the Court of Appeals, it was taken to the United States Federal Court of Maryland, then twice argued before the Supreme Court of the United States.

About this time Father Fesiack of Paris, France, formerly of Washington, made an affidavit as to a certain marriage. As the controversy hinged on heirship, his evidence decided the case. Pratt died before its termination. He was almost uniformly unsuccessful in its numerous trials; but the legal contention which he sought to establish was eventually sustained.

At his colonial home in Annapolis, and later at his residence in Baltimore, Pratt entertained with lavish hospitality his many personal and political friends. Frequent guests were Daniel Webster, Henry Clay and John C. Calhoun, easily favorites among his former senatorial colleagues.

He died of heart trouble, at his home, 35 St. Paul street, Baltimore, November 9, 1869. His funeral was held from old St. Anne's Church, Annapolis, interment being made in St. Anne's cemetery.

Oden Bowie, then governor of the state, ordered all business suspended, flags at half-mast flew from all state buildings; and the governor, the adjutant-general with his staff, and the most prominent people of the state, attended.

Announcement of his death was made to the Court of Appeals of Maryland by Hon. William H. Tuck, later a judge of that Court, and responded to by Chief Judge Bartol, who said, in part:

"His life was a noble and brilliant career of usefulness and renown. He had achieved a deserved eminence at the bar as a sound and able lawyer. In the halls of legislation of his native state and in the Senate of the United States, he had proven himself an accomplished and able statesman; and in the office of Governor of Maryland, he was a faithful, just and fearless magistrate."

The bar of Baltimore City, in resolutions prepared by Reverdy Johnson, commended the "ability, fidelity and courage" which marked his public career, and the "admirable and attractive qualities which graced his social and domestic life."

Strong men have inborn characteristics, which the opportunities of public life develop to a remarkable degree. "While there were many admirable traits in the character of Governor Pratt," as a biographer describes him, "one stood out in such strong relief that all the others became merely background to it, and that one was his honesty—honesty for state, as well as for man, honesty in spirit, no less than in word."

I knew Governor Pratt from the time of my earliest recollections until his death. He was a man of imposing build, more than six feet in height, weighing upward of two hundred pounds, with a noble forehead, regular features, strong mouth; and while naturally dignified, wore an affable smile, which invited confidence and inspired friendship. As a young lawyer I was much impressed by his knowledge and resourcefulness at the trial table; and always felt that I had been benefited by hearing his forensic efforts.

Pratt was long a warm friend of my father, living as they did as close neighbors in Upper Marlboro'. Both of them dearly loved a game cock; and one of their foibles was the old Southern pastime of cock-fighting. I have known them to steal away from home, in a closed carriage, under the cover of darkness, to escape prying eyes and censuring tongues, to enjoy the forbidden sport. On one occasion, they were walking to the Marlboro' court house, earnestly discussing a law case set for immediate trial. Suddenly a cock crew. Both halted instantly. Glancing from one to the other, the silence was broken by, "There is a strange cock in town, Pratt."

"No doubt of it," came the reply, "and he sounds game. We shall have to locate his owner."

And then, without another word about their case, but with visions of a future cock-pit, they proceeded into the court room.

Mr. Pratt married Adeline McCubbin Kent, on September 1, 1835,* who survived him many years. Their children were:

Thomas George Pratt, Jr., who served in the Confederate Army, and died unmarried; Florence Pratt who married George Hobson; John Pratt who died young; Adeline Pratt who married Mordecai Plummer; Rachel Pratt who married Daniel Clark; Robert Pratt who died young.

Thomas George Pratt was the son of John Wilkes Pratt and Rachel Belt; grandson of Thomas Pratt and Eleanor Magruder; great-grandson of Robert Magruder and Sarah Crabb; great-great-grandson of Samuel Magruder and Eleanor Wade; great-great-great-grandson of Samuel Magruder and Sarah Beall; great-great-great-grandson of Alexander Magruder, Maryland Immigrant.

*Date of marriage license.





